

A

LETTER
TO THE
Rev^d. Dr. *HOLMES*,
VICE-CHANCELLOR
OF THE
University of *Oxford*,
AND
VISITOR
OF
Hart-Hall, within the said University.

By *R. Newton*, D. D. Principal of *Hart-Hall*.

*Cæterum ita sibi Potentiores persuadere debent, si omnia sibi Licere putant,
Licere quoq; Omnibus de ipsorum dictis factisq; Liberè Loqui & Scribere.*
Thuan. Epist. ad Camdenum.

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To the Rev^d Dr. HOLMES, Vice-Chancellor of
the University of Oxford, &c.

Mr. Vice-Chancellor,



HO' I have not prepar'd you to expect any Application of the following kind from me; yet, being the unfortunate Governor of a Society greatly suffering in their Interests, and having a Right to your Protection, I hope you will not be surpris'd that I presume to beg of you such Help in our Distress, as you may be Able to give us, and shall think our Case to deserve.

I HAVE for many Years been engag'd in a Design of getting This Society Incorporated and Endowed for the Advancement of Learning, Religion and Virtue, upon a Foot of Discipline allowed by the proper Judges of it to be fit to promote These Ends, and herein, of doing Service to the University over which you preside.

THE Erection of a Hall into a College hath ever been esteem'd an Honour to the Reign in which it hath been accomplish'd. And that two or three Fellows of a College, warm in the Sunshine of their Own Founder's Bounty, should, without any reasonable Prospect of Advantage to Themselves or their Society, combine to obstruct a Design of this Nature; and should also find so much Credit with their Visitor, as to get him to assist them to defeat it, is what the present Societies of the University are amaz'd at, and their Successors will not believe.

As the several Colleges of the University have their respective *Visitors*, so the Vice-Chancellor for the time being is the proper *Visitor* of Halls. And as two or three Fellows of *Exeter College* have fled to the Bishop of *Exeter*, Their *Visitor*, for his Aid to obstruct the Good intended to the *University* in general, and to *Hart-Hall* in particular; so the Principal of *Hart-Hall* intending this Good, and prevented from doing it, naturally applies for Help to *His Visitor* the Vice-Chancellor, the Guardian of the Interests of the University, and of That Society. And humbly hopes, if the *Visitor* of *Exeter College* can think it his *Duty* to do what *They* desire, (*parte inauditâ alterâ*,) the *Visitor* of *Hart-Hall* will not think it *Unbecoming* in *Him* to attend to the Complaint of the Principal, who is not suffer'd to be heard elsewhere, and to assist him to remove the Cause of it.

WHAT may reasonably be Expected from a Person so well Affected to the Government, so studious of the Credit, Peace and Welfare of the University, and so capable of doing it great Honour and Service, I am willing to Hope for. And, tho' the Obstruction

struction given to the Incorporation and Endowment of This Society hath hitherto been insuperable by *Me* contending alone and unsupported, yet, assisted by *One* of Superior Address, Parts, Interest, Influence and Authority, I flatter Myself (*dolo Divum* apart) I shall soon become more Successful.

WHAT Steps *My* Visitor is to take towards This End, I must Leave to his Own Prudence ; I shall not be forward to direct his Excellent Judgment : The following Letters to the Visitor of *Exeter* College will inform him, what Steps taken by *Me* have prov'd ineffectual.

BUT (Mr. Vice-Chancellor) before I open These Letters to you, to shew what earnest Endeavours I have used to prevail upon his Lordship to *Allow* only *That Hearing* which the College had petitioned the Lord Privy-Seal to *permit*, and their Visitor, at the same time, to *oppose*, I beg Leave to recite the Motives I had to *desire* the *Incorporation* of the Hall, and to *Contribute* Myself to the *Endowment* of it, lest any Misrepresentation of these Matters (which however in their Nature are well entitled to the most favourable Construction) should disincline you to me, and slacken your Diligence to serve me.

THE Motives I had to *desire* the *Incorporation* of the Hall were truly Those set forth in my Petition to the Crown for this Purpose ; The promoting of Piety, Good-Manners, and useful Learning ; and to this End, the Establishing of a Rule of Discipline, form'd in such a Manner, as not easily to be Eluded, or partially Executed ; a Rule attended with Endowments sufficient to secure Conformity to it, and by which the *Interest* of every Member of the Society is made to depend upon his *Duty* ; a Rule by which it is provi-ded that the Interest of One shall be the Interest of All, that there shall be every Thing to Unite them, and nothing to Divide them.

THE Motives I had to give any Thing *Myself* towards the Endowment of the Hall were, not the *Largeness* of my Fortune (God knows) but the particular *Nature* of some Part of it ; and a Persuasion that the best Way either to *conquer* the Diffidence I should have to sollicite the Beneficence of *Others* to the Good I was promoting, or to *Induce* them to Encourage it, was, to be *Myself* a Contributor thereto.

ONE Part of the Estate I inherited consisted in the *Tythes* of a Hamlet where there was no longer any *Place* of Divine Worship, nor *Performance* of it, of Value about *Twelve hundred* Pounds, or *Sixty* Pounds a Year. The other Part of the Estate already mortgag'd to me for *Eleven hundred and fifty* Pounds, and *Interest*, I was desirous to Charge with a Payment of *Sixty* Pounds a Year (a bare Equivalent for the *Tythes*) to the Society when Incorporated, in a manner agreeable to the *Corn Act* obtained in favour of the Universities in the Reign of Queen *Elizabeth*. The Incorporated Society would consist only of *five* Persons, a Principal and *four* Fellows his Assistants in the Affair of Education, who were always to have the Care of *thirty-two* Undergraduate Students, and *four* Servitors, and of no greater a Number. *Sixty* Pounds a Year to be equally divided between the *four* Fellows with the Revenue accruing to them equally as Tutors and Officers of the House, and with Convenient Apartments for the Reception of Themselves, and their respective Servitors, Rent-free, was considered as a Compleat Endowment for *Them*, whilst the Rent of the rest of the Chambers of the Hall (with the additional Revenue of a Public Lecture) was to be, as it always had been, the proper Endowment of the Principal.

SIXTY Pounds a Year then, as an Endowment to the *four* Tutors was *All* that I proposed to Give. My sole Design was the Education of young Men to the Sacred Profession, with that Sobriety, Simplicity, Prudence, Temper, and strict Honour as would

would make the Learning they might acquire in the College of some Use to the World. Accordingly their Tutors were to be in Holy Orders, and the Estate in Tythes, or the Value of it, which once belong'd to Clergymen, was to do so again. For, without entering into a Dispute, whether the Appointment of an Estate consisting in Tythes, or an Equivalent, to the Use of Clergymen, was necessary in Point of Conscience, (which it may be, all things considered, it was not) I thought however it would be comely in Me, who was Myself a Clergyman, to apply an Income of this kind to the Benefit of Those of That Order; little imagining I should be obstructed in this View by Men of the same Order, and with that Keenness and Obstinacy, as if I had really been taking from Them, what I was bestowing upon their Brethren; and This, without a Possibility of any due Advantage to Themselves, since Their Interest in the Hall, whether Incorporated or not, would be the same; but, as it hath happen'd, with a Loss to Me, and to the Society, excessive, and unmerited.

I SAY Unmerited, because when the Opposition from the College first began, tho' I had been taught by my Counsel to despise it, yet, I offer'd, with the Chancellor's Consent, that every Third Head of the Intended College should be nominated out of their Own Body. This their Agent refus'd, since "*This, he said, would be no Advantage to the present Society who should none of them Live to be Heads;*" An Answer the Society had Time enough to have recall'd, if it had not been agreeable to their Instructions. From this Moment I began to have the meanest Opinion of them, and suspected They were aiming at their Own private Emolument, either a considerable Sum of Money to be immediately divided amongst them, or, instead of an ancient unvaried Rent of One Pound Thirteen Shillings and Four Pence, a variable One of Twenty or Thirty Pounds a Year, for an Estate They pretended to have in the Hall, which, as it afterwards prov'd, was not worth one Farthing. But they found they could prevail upon their Visitor to stop the Progress of the Charter, till their Pretensions should be considered to their Satisfaction; and imagin'd, I was so fond of my Own Scheme, as that I would have given any thing for the Success of it. In This (Mr. Vice-Chancellor) they were mistaken; for I have learnt to be fond of nothing in this World, and have an utter Reluctance to comply with unreasonable Demands, lest I thereby encourage Artful Men to clog with Difficulties all Charities intended for Others, in which they shall not find their own Account. But to return,

WHILST I aim'd by a small Benefaction of my Own to invite the Bounty of Others to the same Design, it hath been my Misfortune to have been much misrepresented, and to have had *Vanity* imputed to me as the Motive to it; and so great, as to have induc'd me to Overlook the Interest of my Family, in suffering a Diminution in my Paternal Fortune for the sake of being said to be the Founder of a College, which Few, but Those of the *Episcopal* Dignity, assisted by great Revenues, Ecclesiastical and Temporal, have ever pretended to.

BUT (Mr. Vice-Chancellor) you will be so good as to observe, That, what I propos'd to give to Others was of my Own Acquisition; That, if I had not been Oppos'd by Exeter College and their Visitor, I should have been Able to have paid my Respects to This Society in the Design'd Endowment, and, at the same time, to have left to my Posterity what I had received from my Ancestors; That there is not the least Appearance of *Vanity* in this whole Design; for that, if I have any Pleasure in proposing to be a small *Benefactor*, I do not arrogate to myself the Title of a *Founder*; That the Society intended to be incorporated is, with the same Simplicity, stil'd *Hertford College*, as when it first began to be a Voluntary Society of Scholars, it was call'd *Hertford Hall*, without any greater Merit in *Elias Hertford* the Original Proprietor, than That of letting out his private Tenement to Scholars at a good Rent, and, afterwards, of selling

the same for the perpetual Use of Scholars at a good Price ; That a Charity proceeding even from *Vanity*, ought not to have been obstructed without a very good Reason ; for, if there be less *Merit* in the *Doer* of it, there may still be as much *Use* in the thing *Done*, as if it had proceeded from a better Motive ; That Other Persons have Erected Colleges as well as *Bishops* ; That some Persons, even of moderate *Fortunes*, approving their Piety, have follow'd their Example ; That, when *Bishops* have Erected Colleges, their *Ability* to do it hath often been founded in the Piety of Other Men ; That, however, if any Bishop shall think it unseemly in a Person of so low a Station to presume to do This Act of Charity, which would better have become *His* greater Character, he shall have Liberty to do it whenever he pleases, and what was designed by *Me* for this Particular Purpose, shall be apply'd to some other Use ; and That, in the mean time, I hope the Visitor of *Hart-Hall* will not deem it *So unseemly* in the Principal, tho' a private Person, to have *Intended* a Publick Good of *THIS* Nature, *As* he will think it unbecoming Any Visitor of a College, Any Founder's Representative, to *Oppose* him in it.

HAVING thus laid before you, Mr. Vice-Chancellor, the *Motives* I had to *desire* the *Incorporation* of the Hall, and to *Contribute* to the *Endowment* of it, which I hope are *Innocent* at least, if not *Laudable*, I beg Leave, in the next place, just to mention the *Manner* of my proceeding towards the *Accomplishment* of my *Design*, that you may the better judge whether any Step hath been taken by me in the *Prosecution* of it, which deserves the *Opposition* that hath been given to it.

THE Chancellor of the University is the Patron of Halls. Upon the Death of my Predecessor in *Hart-Hall*, I was recommended to his Favour for the Vacant Headship by Dr. Aldrich then Dean of *Christ-Church*, and, at his Request, by Dr. Compton then Bishop of *London*, without my Knowledge, and at a Time when I had left the University, and was settled in a small Living at a great Distance from it.

I DISSEMBLE not that I accepted of This Preferment with a View of introducing a Method of Discipline into *This House* of Learning, varying from That of *Others* in such Particulars, as I thought would more effectually secure the Sobriety, Frugality, Conformity to Rules, and Application to Study, together with the Peace and Honour of the Society, than any I had as yet Experienced, or Heard described.

I SOON formed a Resolution, if I should succeed in This View, to *acquiesce* in the Headship of the Hall, and *resign* my Living in the Country ; or, if otherwise, to *resign* my Headship, and *retire* to my Living ; and, in the mean time, to content Myself with the *Produce* of my Living, and to apply the *Revenue* of the Headship to the *Uses* of the Society.

I WAS admitted to This Headship on the 28th of *July*, 1710. As the *Revenue* of it arose, I therewith discharged the Debts contracted by my Predecessors, in various Improvements, to the Amount of *One hundred and twenty Pounds, Twelve Shillings and Eleven Pence*. With *This Revenue* also ; and by the *Sale* of *Useless Plate* belonging to the Hall, with the Consent of the Visitor ; and by *Contributions* sollicited from Persons who had formerly been Members of the Society ; and by the Voluntary *Donations* of my Own Friends and Acquaintance, and of Strangers favouring the *Design* ; and by a *great Sum* of Money borrowed, for which I pay an Interest to this Day, I built one Fourth part of a large Quadrangle, consisting of a Chapel consecrated at the Request of the Vice-Chancellor, the Representative of the Patron, in 1716, and of an Angle of Building, containing *fifteen* single Apartments, at an *Expence* of *Fourteen hundred eighty-six Pounds, Seven Shillings, and One Penny*. Proposing to build the Remainder of the College in the same manner, I purchas'd Ground and Houses contiguous to the Scite of the said Hall, and

and necessary to the compleating the Design'd Fabrick, to the Value of One hundred and sixty Pounds more.

BEING in this Forwardness, I was now desirous to get the Society Incorporated, and capable of receiving the Benefactions intended it. I apply'd to the Chancellor for his Consent. The Difficulties I then met with I forbear to mention, and am willing to forget, tho' they were the Cause of all the Misfortunes that have since happened to me. The Author is in his Grave, having first been the Instrument of Defeating My Project, without Accomplishing his *Own*. At length I obtained what I had desir'd. At the pressing Instance of my Friends, (particularly of Mr. Strangeways, heretofore a Member of this Society, and an Honour to it) the Chancellor signified his Consent to the Secretary of State in the most obliging manner. I petition'd the Crown for a Charter. The Petition was referred to the Sollicitor, soon after Attorney General, with whom the Rector and Fellows of Exeter College had by this time enter'd a *Caveat*, praying to be heard by their Counsel, before He should make his *Report*. They were Heard. He made his Report. It was in my *Favour*. They pretended not to be satisfied with it. They Enter'd Another *Caveat* with the Lord *Privy-Seal*, as if they had wanted Another Hearing, and then got their Visitor to stop the Progress of the Charter, and prevent it. The following Expostulatory Letters were written to remove This Obstruction. I do not think myself at Liberty to print the Letters I received from his Lordship on this Occasion without his Lordship's Permission, but must leave you to guess at what They contain by my Answers to them.

No. I.

My Lord,

IT is now above Six Weeks ago that Mr. C—— recall'd upon Me, to know precisely what it was I had propos'd to your Lordship by my Friends above. I told him, either, that your Lordship would Incline the College to accept of fifty Years Purchase of their Inheritance of One Pound, Thirteen Shillings and Four Pence a Year; (a) or, that, if they conceiv'd they had a further Right in Hart-Hall, your Lordship would Suffer the Matter to be heard before the Lord *Privy-Seal*, with whom the College (pretending not to be satisfied with the *Attorney-General's Report* in my Favour) had lodg'd a *Caveat* for this Purpose.

I FOUND Mr. C—— of Opinion, that the College would not be inclined to part with their ancient Rent: And, therefore, to make the thing easier, since I had offer'd them fifty Years Purchase of their Inheritance, which was about Forty Pounds more than its Value, I expres'd myself willing, not only to pay them their *Ancient Rent* as I had used to do, but to give them also this *Overvalue* in Money, if I might be permitted to proceed to the Incorporation of the Hall, and the New Society be se-

(a) For, of *That Value* their Inheritance was then generally understood to be. But, on further Enquiry, it does not appear that there was EVER paid to Exeter College for the Two little Messuages that are said to have been left them by their *Founder* within the Precincts of *That House* of Learning, now call'd *Hart-Hall*, any Greater or Other Yearly Rent than One Pound: The remaining Thirteen Shillings and four Pence a Year, which the Successive Principals of *Hart-Hall* anciently paid, as *Under Tenants*, to Exeter College for *Black-Hall* and *Cat-Hall* (Two other Messuages appertaining to the said *House* of Learning) for so long a time as The College held the Same by *Lease* from the UNIVERSITY, being now, from and after the Expiration of the said Lease in the Year 1663, due and payable to the Succeeding *Leesees* of the UNIVERSITY. And, it is to be hoped The UNIVERSITY will Interest Themselves in the Recovery of the annual Payment of the said Thirteen Shillings and four Pence due to their *Present Tenant*.

• cur'd against any Molestation from *Exeter College* for the future. This is what Mr. C——re, who hath always pretended a *Friendship* for me, as indeed he hath *Obligations* (a) to me, undertook to relate to the Fellows of his College, and to represent to your Lordship.

• On Saturday last I had a further Conference with him, when he told me, he had as yet received no Answer from your Lordship; but that he found the *Fellows* of his College in much better Temper towards an Accommodation than they had formerly been. And propos'd to me from Them, That, if I would prevail upon their Rector to reimburse them the *Eighty Pounds* they had already expended in Opposing me, to the end that they might therewith be enabled to be at the further Charge of a Hearing, and would also engage, that he should not throw any Impediment in their Way to hinder the Success of their Proceedings, they would be willing the Matter should be heard before the Lord *Privy-Seal* as soon as was possible.

• My Answer to This was, That They supposed me to have a much greater Influence over their *Rector* than I really had; That in other Cases, wherein he had done me the Honour to Consult me, I had never found him Inclin'd to be guided by my

(a) Could I have foreseen (Mr. Vice-Chancellor) it would be one Day necessary for me to publish a *Copy* of my Letter to the Visitor, for your Information, and my own Defence, I should not, I think, have mentioned any thing of *this kind* in the *Original*: But having done it, I am not now at Liberty to make any Alterations, and must therefore give you the Reason why I did it.

When Mr. C——re first acquainted me with the Opposition, he told me he had no hand in it. When his Interesting himself in it could no longer be concealed, he pretended the Obligations he had to his College demanded This of him. When I put him in mind of the Report made in my Favour, and that, after he had done his Duty to his College, he might have shewn his Affection to his Friend, He said, No, he was less satisfied *since* he had seen the Report than he was *before*. To tell you the Truth, The *Stratagem* he had us'd to get a *Caveat* enter'd with the Lord *Privy-Seal*, and the Application He had made to his Visitor to hinder the Progres of the Charter to the Office, assur'd me that Enmity had succeeded in the Place of Friendship. But, not knowing whether, in two Years time, he might not of himself have disapprov'd of this *Trait d' Arrifice*, or by others have been made sensible of the *Indecency* and *Injustice* of it, and been willing to repair the Injury he had done me, as far as he should be able, I own, I had a mind, by suggesting he had *Obligations* to me, to give his Visitor an Opportunity to take Notice, whether, in what should pass between Him and his Lordship on This Occasion, there was any the least Spark of Friendship or *Gratitude* *reviving* in him towards me; that, if there was, his Lordship might be more inclin'd to listen to what should be said by One, whom his Favourite was *at length* dispos'd to oblige; and, if there was not, he might begin to suspect he was countenancing a doubtful Man in a doubtful Case, who some time or other might prove *Ungrateful* to Himself.

However, I do not pretend to have laid any *greater* *Obligation* upon Mr. C——re than that of recommending him, (as I did several Others) to the Favour of the late Lord Chancellor *Maclesfield*, as a Student, to whom one of his Lordship's Pensions of *Thirty Guineas* a Year would be an acceptable Encouragement in his Studies, and who, to answer his Lordship's Design of promoting Learning in the University, would be willing now and then to *Publis* Something in his *own Way*, and agreeable to his *Own Genius*. I was instructed not to regard, in my *Recommendations*, of what Political *Party* the Men were, but of what *Scholastic Merit*. Admirable Instrucion! and worthy of a Man who had so much of *This Merit* in himself, and was so quick a *Discerner*, and so large a Rewarder of it in Others. Mr. C——re seem'd to have good Abilities in a particular Way. I recommended him heartily. He was Accepted. I was pleased with having done him a good Office. He hath acknowledg'd himself much *oblig'd* to me both in Person and by Letter.

I do not, after all, overvalue This *Obligation*, neither, if, by Accidents unforeseen, he reap'd not the same Fruit of it that Others did, or not all the Fruit he might expect, is it of *less Value*. My good Will to him was the same. And the Disposition form'd in the Chancellor to serve him in this *little* Affair by my Recommendation, might *possibly* go *some* Way towards the Service he very soon after did him in a *greater* Matter, tho' at the immediate Instance of Another Person. And, I verily believe, the *Sense* of this *Obligation*, small as it is, or, as it may be *esteem'd* by him, after it hath been *rated* by his Disinclination to me, or further *diminis'd* by his known Acuteness in explaining it, would, (at least after the *Attorney-General's Report*) have been sufficient to restrain any *Other* Man from any *Notable* Activity in continuing to oppose a Design of *Publick Good*, the *Succes* whereof was so much wish'd both by his *Friend* and his *Patron*, the only Two Persons, I believe, who had *as yet* *Oblig'd* him, and from descending to such mean Arts in order to *Defeat* it, as could not be practis'd without the *Impeachment* of his *Moral Character*.

Opinion;

Opinion; That, in the Case before us, tho' he once writ (a) to me in London to ask Advice of Counsel, whether the *Fellows* of his College could oblige him to call a *Meeting* about my Affair, after the *Attorney-General* had made his Report, yet he *Acted before* he had

(a) In these Words, "C——re and B——ly have been twice with me for my Consent and Concurrence with them in their *New Petition*. I denied them at first, but the second time they came with a *Master* in Chancery to *Compell* my Concurrence, or *Return* my Refusal. —— Now, I desire you to Consult your Counsel to know whether They can thus force my Consent."

Exeter Coll. Oxon.

Dec. 11, 1724.

MATTH. HOLE.

The former Petition was for a *Hearing* before the *Attorney-General*. The *New Petition* was for *Another Hearing* before the *Lord Privy-Seal*. With respect to the Conduct of these Gentlemen described in this Letter, I have thus much to say.

1. I am of Opinion, they *did not* *Themselves believe*, after they had seen the *Attorney-General's Report*, that there was any *Occasion* for *Another Hearing*. For, if they *did*, why, after they had *Petition'd* for it, did they get their *Visitor* to *prevent* it. But,

2. Allowing they *did believe* *Another Hearing* would be of *Use* to the *College*, yet they needed not to have gone about to *Compell* the *Rector* to a *Concurrence* with them in their *New Petition* for it. For, if they would have condescended to have made it evident that an *Advantage* to the *College* might reasonably be expected from *Another Hearing*, or, to have shewn that any *Lawyer of Note*, after having read the *Report*, had *Advis'd* it, he would have concurred with them *now*, as he did *before*, without *Compulsion*. But,

3. If *Compulsion* had been *necessary*, yet it ought not to have come from an *Ordinary Attorney*, introduce'd to him under the *Character* of a *Master in Chancery* sent on purpose to *Compell* his *Consent*, or *Return* his *Refusal*. No. It ought regularly to have come from the *Visitor* of the *College*, who had the *College Statutes* always before him, who was the proper *Interpreter* of the *Statutes*, and who could have referr'd the *Rector* to *That Statute* in particular, if such a *One* there had been, which *Expressly* or *Interpretatively* oblig'd him, at *Their Instance*, to call a *Convention* of the *Fellows* at *Any Warning*, to debate a *Matter* already *decided*, altho' they should not first have so much as offer'd to make it appear, that it would in any *Respect whatsoever*, be for the *Interest* or *Honour* of the *College* to have that *Matter* re-consider'd.

4. They knew this *Affair* was not at this time under the *Cognisance* of the *Court of Chancery*, and That this *Master in Chancery* had no *Commission* from that *Court* to apply to the *Rector* in *This manner*. I enquire then, with what *Prudence*, or *Decency*, or *Honesty*, or *Regard* to *Dignity* or *Truth*, they could attempt to authorise him to *pretend* to have it; even if the *End* they were in *pursuit* of had been *Good* and *Important*?

5. The *Statutes* of *Exeter College* require great *Reverence* to be shewn by the *Members* of the *Society* to the *Person* of their *Governour*. These Gentlemen were, at the time of *This Transaction*, under the *Obligation*, not only of the *Natural Duties* resulting from this *Relation*, but of a *Solemn Oath* also, to observe these *Statutes*. I enquire then, whether the *Conduct* above describ'd be such, as that from thence it may be infer'd or conjectur'd they had either *Reverence* for their *Governour*, or *Sense* of their *Duty*, or *Regard* to their *Oath*? I am of Opinion, it was a *Behaviour* inconsistent with that *Reverence* which was due to *Themselves*. For (not to say any *thing* more than is necessary of the *Other Person* who is *dead*, and was thought to be under *Influence* when *living*) Mr. C——re was at this time in *Holy Orders*, had been so for many *Years*, was above standing for the *Degree* of *Batchelor in Divinity*, a *Preacher* before the *University* in *bis way* noted, intrusted in his *Own Society* with the *Education* of *Youth*, and of *Some young Gentlemen* in particular of *great Family* and *Fortune*: *Characters* that will not by any means allow of such *Departures* from *Simplicity* and *Honour*, as there manifestly appear to have been in *This Stratagem*.

Mr. C——re hath told Me, as I question not but he hath many *Others*, that if he had not made Use of *This Stratagem*, he could never have prevailed upon the *Rector* to have called a *Meeting* of the *Fellows* upon *This Affair*.

Most excellent *Judgment*! to arrogate to himself a *Value* from so puerile a *Cheat*! By prevailing, he hath indeed the *usual Opportunity* of imputing to his *Skill* what, after all, might be *Owing* to his *Fortune*; but what, if Allowed to his *Skill*, is a *Hurt* to his *Reputation*.

Suppose he had *not* prevailed, or not so much as *Tried* to prevail, let us see what would then have been the *Consequence*.

Why, *Then*, the *Acquiescence* of the *College* in the *Report*, which *Their Rector Advis'd*, and which, since they had nothing to say against it, was *Their Duty*, would have been *Presum'd*.

Then the *Opposition* which they had *hitherto* given might have been thought to have proceeded from a *due Care* only of their *College Rights*, and not from any *Desire* they may *now* be suspected to have had to *obstruct* a *Publick Good* for *Private Ends*.

Then an *Industrious*, *Inoffensive Man*, meaning well to his *Society*, to the *University*, to Mr. C——re in particular, and who was not conscious to himself to have *said* one *Word*, or *done* one *Thing* to *disoblige* either *Him*, or any *Other Member* of the *College*, had met with no further *Interruption* in his *Design*.

received the Advice (a) he had desired, or *differently* from it; That, excepting the Application I had made to him, as a *Governour* of a Society, for his Countenance to my Design, in the same manner as I had apply'd to the rest of the *Heads of Houses*, when Our *Chancellor* had writ to have their Opinion of it in a *General Meeting*, I had never desir'd any Favour from him; That I had been told indeed, he had often made Use of my Name in Conversation with his *Fellows*, but that, as he had done This

Then a Charter for the Incorporation of the Hall had been obtain'd, and the Society put into a Capacity of receiving the Benefactions intended it, and the New College have been wholly Built and Endow'd before this time.

Then the *Principal* and *Tutors* would have had a proper *Reward* for their Care of Two and Thirty Students, and Two and Thirty Students a *Help* in the Charge of their Education sufficient to have secur'd their Observance of the *Rules* of the Place where they were Educated.

Then the *Principal* would have had no Occasion to *shew*, as he now hath, that he *ought not* to have been obstructed in his Pursuit of These Ends, nor to say Those derogatory Things of Others, it is now made necessary for him to say in his own *Defence*, and which, if his Own *Defence* had not requir'd it, he had much rather *not* have said.

Then Mr. C——re would not have suffer'd so much in his Reputation, as he now suffers; at least not upon *this Account*.

Then the *Influence* of what he hath written or shall write, or hath preach'd or shall preach in *Defence* of Christianity, not *abated* by a Conduct absolutely inconsistent with the *Precepts* of it, would have been *greater*.

And then Every thing *would* have been just as it *ought* to have been.

(a) I received the above-recited Letter late in the Evening on *Saturday*, and, finding what the *Fellows* were doing with their poor *Rector*, was in hopes to have preserv'd him from *Ridicule*, by writing to him that very Post. "I will consult Counsel on *Monday*; in the mean time keep yourself firm, and "I will be responsible for any Damage you shall sustain by it. I will write to you on *Monday* "Night."

London, 12. Dec. 1724.

Yours, &c.

But all in vain, for before this Letter could arrive, they had got a *Compleat Victory*, and were Triumphant in his Defeat, and Applauding their own Ingenuity by which it had been contriv'd. I was not surpris'd; for tho' He often fled to me in his *Distress*, yet he never follow'd my *Advice* in a single Instance. By thus applying to me, and consulting me, and favouring me with his good Opinion and kind Expressions, he might, for ought I know, have induc'd a Belief that I had some Influence over Him, which I never had. A *Pretended Master* in Chancery, or a *Dropp'd Letter*, or a *Visitor's Inspection*, any kind of Terror, real or feign'd, would, at any time, have made him recede from his Purpose, and sometimes from Points which ought to have been maintain'd. He was an *Honest Man* so far as a *Timorous Man* can be so, an Excellent Practical Preacher, and Catechetical Writer, but a very Unfit Governor of a College. The *Familiarities* he would descend to with the inferior Part of the Society, and the *Insolence* and *Undutifulness* he would suffer in the Superior with *Impunity*, made him *Insignificant* in That Station, and indeed *Contemptible*.

I was told, by one of their *Own Fellows*, that the Persons in the Opposition had got a *Copy* of This Letter, and had made Themselves *Merry* with it. When I enquir'd which Way it could come into their Hands, he told me, It was a thing not Unusual, when they waited upon the *Rector*, either having, or pretending to have *Buisness* with him, for one of them to hold him in Discourse, and for another to possess himself of his Letters that lay carelessly in his Windows, or upon his Table, and, after having *retriev'd* and *read*, or *copied* them, to return and lay them again where he found them. I am sensible it was not very difficult to do this; for, going *Myself* to Visit him after I came home, and seeing this very Letter, which I knew by the *Superfcription*, still lying upon his Table, and not being willing it should be *again expos'd*, or *hereafter misrepresent'd*, I took it away without his Notice. And, tho' I do not charge Mr. C——re, or Mr. B. or any other Person by Name, with having taken away This Letter in *This manner*, yet, that Mr. C——re had read *It*, or a *Copy* of it, or had heard it *read*, or *recited*, is certain; for he once repeated it to Me, (tho' not with *Exactness*) and imputed to me the having writ it as a *Thing*, in his Opinion, *Irregular*. I am sorry to have writ it, if it was *Irregular*; but, I own, I had different Sentiments of That Matter. It is natural and laudable for *Heads of Houses* to *Consult* one another in the Difficulties they meet with in their respective Societies; and as natural and laudable for the Person consulted to *Advise* what he thinks will be most for the Good of *Him* and his *Society*. And tho' the Fellows in the Opposition thought they ought to have been let alone in the *Management* of their *Own Rector*, and that it was very *Impertinent* in *Me* to *interpose My Advice* to hinder the *Success* of their Attempts upon him, yet, when I found they were going to *Expose Themselves* and their *Governour* in a shameful manner, I thought otherwise, and was willing to prevent it. Nor does it appear from the Letter I sent him on *Monday*, (which, I suppose, they have a *Copy* of) that I had any *Other View*, than that the *Rector* should conduct in this Affair with *Propriety*, without any Regard to *Me*: For, His *Consenting* to call a Meeting could not possibly be a *Disadvantage* to *Me*. His *not Consenting* might. For then their *Visitor* might have had some *Pretext* to stop the *Progress* of the Charter until He *should* have consented. But the doing This, *after* the *Rector* had *Consented* to call a Meeting; and *after* it had been agreed in that Meeting to enter a *Caveat* with the *Lord Privy-Seal*, that they might have Another Hearing; and *after* they had actually Enter'd the said *Caveat*, and, as was pretended, for That very Purpose, remains, and, as I apprehend, will even remain incapable of being justified.

' without my Authority, so, if I was rightly inform'd of the *Manner* in which he had
 ' done it, without my *Approbation*; That, with regard to the *Reimbursement* of the
 ' Charge of the *Opposition*, I had never dissuaded him from it, but, on the contrary,
 ' had assur'd him, it was my *Opinion*, since he had concurr'd in the *Opposition*, he
 ' ought to have no *Reluctance* to defray the *Expence* of it out of the publick Stock;
 ' and that, if he had not done this, they might plainly perceive how little I was likely to
 ' prevail with him to do it, by any thing that I should hereafter be able to say to him;
 ' That, however, if they thought I had a particular *Interest* in him, I would certainly
 ' use it to the utmost to induce him to do what they desired, provided the *College*
 ' would *acquiesce* in the *Attorney-General's Report*; but that, if the *Money* to be re-
 ' imbur'd by *Him*, at *My earnest Intreaty*, was to be employ'd again in any *fresh*
 ' *Opposition*, as, I could not conceive, that the *Rector*, who had never any *Opinion* of
 ' their *Cause*, would be prevailed upon to countenance any further *Charge* in it, so
 ' neither could I see how it could become *Me* to concern *Myself* which Way they
 ' might be enabled to persevere in opposing me, who had certainly a *Right* to be heard
 ' where they had enter'd their *Caveat*, whether they were in *This* or any *Other Respect*
 ' *prepar'd* for a *Hearing* or not; That, as to their *Rector's* being an *Impediment* to the
 ' *Success* of their *Cause*, it was mysterious to me how they could possibly have any
 ' such *Apprehension*, since *He* had already concurr'd with them in entring the *Caveat*
 ' above-mention'd; Since they had all *Papers* relating to their *Cause* in their own
 ' *Custody*, (for they had produc'd them at the *Hearing* in the *Attorney-General's Chambers*,
 ' and had there made no *Complaint* that the *Rector* had with-held any *thing*
 ' from them) and especially since the *Rector*, if he had any material *Writing* in his
 ' *Hands*, might be compell'd to *Exhibit* it, and to do any such further *Act* as should
 ' be thought of *Service* to the *College* in the present *Cafe*.

' Mr. C——re having, as I imagine, communicated *thus* much to the *Society*,
 ' came to me again on *Thursday* the 27th *Instant*, to let me know, that they were
 ' still of the same *Opinion*, and could make no *Other Proposal* than what they had
 ' before made to me.

' BEING resolv'd, *My Lord*, to do every *thing* that was reasonable on *My part*,
 ' I desir'd Mr. C——re, this *Morning*, by a *Common Friend*, to peruse the *Inclos'd*
 ' *Copy* of a *Letter* to the *Rector*, which if *He* approv'd I would send. *He* answer'd,
 ' That he approv'd of it, and if it produc'd the *desir'd Effect*, the *College* would be
 ' willing *I* should be *Heard*, otherwise not. So that unless *I*, who have never been able
 ' to prevail with the *Rector* to do any *one thing* in *my Life*, (except to give his
 ' *Consent* to the *Incorporation*, which it would have been shameful for any *Governor* of
 ' a *Society* to have refus'd) will apply to *him*, in a manner no ways becoming *Me*,
 ' to reimburse them the *Money* they have, in *his Opinion*, indifferently expended in
 ' Opposing *me*, to the *End* that; it may again be employ'd in further *Opposition*
 ' to *Me*, and will succeed also in *my Application*, whether it be in *My Power* or
 ' no; *I* shall not, with the *Leave* of *Exeter College*, have common *Justice* done *me*.
 ' But, *my Lord*, I hope better *Things* from *your Lordship's Honour and Integrity*,
 ' and, to this *End*, have presum'd to give *your Lordship* the *Trouble* of *This Re-*
 ' *presentation*. *Your Lordship*, I trust, will believe with *Me* and *my Friends*, that *I*
 ' have a *Right* to be *Heard*. And *I* am ready to send the *Inclos'd Letter* to the
 ' *Rector*, if *your Lordship*, comparing it with what *I* have here observ'd, shall think it
 ' all that is reasonable for *me* to do, in order to procure the *College* a *fair Hearing*,
 ' and will not, with the *College*, insist upon *Matters* *improper*, or *impracticable*, to
 ' occasion further *Delays*, after what *I* have suffer'd by *Those* which have already been
 ' given to, *My Lord*,

Your Lordship's

Hart Hall,

29 Apr. 1727.

most Faithful, and most Obedient Servant,

R. NEWTON.

A Copy of the LETTER propos'd to have been sent to the Rector
of Exeter College.

Mr. Rector,

SOME of the Fellows of your College seem to be of Opinion, that you refuse to pay them the Eighty Pounds they have expended in opposing the Incorporation of Hart-Hall, as a Thing that is agreeable to Me; and to apprehend, that if they should give way to a Hearing before the Lord Privy-Seal, you would endeavour to thwart them in their Proceedings, and to hinder the Success of their Cause. I am not to direct You what is proper for you to do in the Government of your College, but will, however, beg Leave to assure you, that I do not by any means desire, that you should refuse to reimburse them their Expences on My Account, or with-hold any Writing from them, which they shall think will be of Service to them at the Hearing, or refuse them any kind of Assistance towards their coming to a thorough Knowledge of their Cause, or Success in it. I am, Mr. Rector,

Yours, &c.

No. II.

My Lord,

MOST humbly thank your Lordship for the Favour of your Letter. In answer to it, I beg Leave to observe, that, being as well affected to his Majesty as any Other Subject, I hope I am not less entitled to any Act of his Majesty's Free Grace, which it will not be to the Dishonour of the Crown to grant. And I think it but reasonable, that if Any one Pretend, that an Act of his Majesty's Free Grace extended to Me will be prejudicial to Him, he make This Appear, before he stop the Current of the Royal Favour towards me.

For the obtaining Charter(s) of the Crown there is a certain Method of Proceeding prescrib'd to the Subject; and such a one as gives every Person Opportunity to set forth *That Claim* which he shall think a Charter, if granted, will prejudice. He may be heard before the Attorney-General, before the Lord Privy-Seal, before the Lord Chancellor. My Lord, I proceed in This Method. I take no New or Unusual Step to accomplish my Design. If Exeter College apprehend that a Charter granted to me will be a Prejudice to them, They have a Right to be heard at any of Those Stages thro' which I am to pass; and where They have a Right to be Heard I have likewise, What I complain of, then, and, as I think, Justly, is, That I am interrupted in the Ordinary Course of Proceeding in an Extraordinary manner, and that, where They are permitted to be Heard, I am not.

WHEN my Petition to the Crown was Referr'd to the Attorney-General, The College desir'd to be Heard before he should make his Report. Their Visitor, that was then, did not Prevent my coming to be Heard where They had Enter'd their Caveat. We were severally Heard by our respective Counsel. The Attorney-General made his Report. He Reported that the College had not the Right which they claim'd. An Act of his Majesty's Free Grace to Me was not, then, a Prejudice to Exeter College, in the Opinion of the Attorney-General.

THE

THE College say, They are *not satisfied* with the Report. They Desire to be Heard again by the Lord Privy-Seal when I shall come with my Instruments to pass That Office. They Enter a *Caveat* there for This Purpose. With great Application and Ex- pence I get my Instruments ready for the King's Signing, that I may come regularly to the Office. It is not more *Jus t* that the College should have liberty to Enter This Second *Caveat*, than it is *Jus t* that I should be permitted to *Hear* what they have to say, and to *Reply* thereto. But, am I *permitted* to do This, my Lord? Am I not Intercepted in my way to the Office where the *Caveat* lies? Hath not Application been made by their *Present* Visitor to Those Great Persons who were desirous to oblige me, that my Instruments should *not be sign'd* by his Majesty? Can I come to the Office 'till they are signed? Whilst the College pretend to Desire a *Second* Hearing, am I not disabled by Them from coming to the *Place of Hearing*? Ought it to be esteem'd a *Preju- dice* to Exeter College, That I *hasten* to *Come* where They have *desir'd* to *Meet* me, in order to have the Opinion of so *Learned* a Lawyer, and so *Equal* a Judge as is the Lord Privy-Seal (a), whether a *Charter* granted to Me will *indeed* be a *Prejudice* to Them or not? Have not These Measures occasion'd a tedious *Delay* in My *Affair*? And This *Delay* been of *Infinite Disadvantage* to me? And are not the Society, who have been the *Authors* of the *Delay*, the *Authors* of all that I have *suffer'd* by it? I hope, therefore, your Lordship will not take it amiss, if so great a *Sufferer* think he hath reason to *Complain* that he hath not *COMMON JUSTICE* done him.

BUT your Lordship is *pleas'd* to suggest, that the College are not in a *Reasonable State of Defence*. My Lord, this is not *My Concern*. They have had *Two years* time to put themselves into this *State of Defence*, and I have been so long a *Sufferer* by their *Neglecting* to do it. It is sufficient for me that I have in *No respect* been the *Occasion* that they are not in a *Reasonable State of Defence*. It ought not to have been *Desir'd* of Me, much less *Insisted* on, that I should put my *Adversaries* into a *State of Defence*. An Application from the College to Me, that I would do This is *not Decent*. For Me to concern *Myself* in it is *not Natural*. Neither, if I should attempt it, have I the *least power* to effect it. This Application which is made to Me ought *regularly* to have been made to your *Lordship*. Your Lordship is the *Visitor* and *Patron* of the College. And it is comely in your Lordship to support it in all its *Jus t* Claims, by all *Jus t* Means. And the *Statutes* enable your Lordship to *Compel* the *Rector* to give proper Persons *Access* to the College *Muniments*, if he *Denies* it, which, I believe, he *does not*; (b) and to do whatsoever else is necessary for the *Defence* of the College Rights. If then the Society are in a *Disarm'd and Defitiate Condition* (c), your Lordship hath full Power to *Relieve* Them, without *Distressing* Me. In the mean time, I conceive, I have a *Right* to be *Hear'd*, and that it becomes me, instead of being sollicitous to put the College into a *State of Defence*, to provide for my *Own Defence*. And yet your Lordship seems to be of opinion, that, if the College will *Consent* to my being *Hear'd*, even upon the *difficult* and *unreasonable* Terms they insist on, I am *Oblig'd* (d) to them. I should be sorry, my Lord, to be *backward* in my *Acknowledgments* where I *receive* any *Obligations*. But, with *Submission*, I cannot see that I have

(a) The late Lord Trevor.

(b) Voilà la *Duplicité & le Deguisement*! The *Rector*, upon My Enquiry, averr'd to me, "There was not the *least* Ground for this *Insinuation*; That the *Muniments* they pretended to *Want* for their *Defence*, were *All* in their *Own Keeping*, not *One* of them having been return'd into the *Bursary* since the *Hearing* before the *Attorney-General*; and that *No Application* had since been made to him "for any *further Search*." And thus much I imparted to their *Visitor* in my Letter to his Lordship, No. 3.

(c) N. B. When, after the Death of Dr. *Hole*, his Successor became possessed both of the *Treasure* and the *Archives* of the College, the *Opposition* to a *Hearing* was nevertheless continu'd.

(d) *Quod est Beneficium Latronum? nisi ut commemorare possint iis se Vitam Dediisse quibus non Ad- merint.*

• herein the *least* Obligation to Exeter College. A College is no more than a *Private Person* in Matter of *Right*. To Enter a *Caveat*, as if they believ'd they *Had* a Right, and, yet, to *Prevent* a Hearing, whereby it may be discover'd whether they *Have* any Right or *no*, is an *Act of Power*; and I can have no *Other Obligation* to Exeter College, that they at length suffer me to be Heard, (if so, they should be *Inclin'd*), than I have to a Person, who hath *already INJUR'D* me in a *Great Degree*, that he will not do it in a *Greater*.

• My Lord, the *Jupest* Man upon Earth may be *Misled* by Misrepresentations. I verily believe your Lordship to be so in the *Present Case*; and that *Things* and *Persons* are not plac'd in that *Light* before your Lordship in which they *ought* to appear. *RIGHT* is the *Pretence* of Persisting to Oppose me, but the *Reason* of doing it is, in my Opinion, something else not so *Plausible*; to which *Delays* are Thought as *Useful*, as *Enter ing CAVEATS* and *Preventing HEARINGS* are to *Delays*. Mr. *A—ll* had no *Scruple* to tell my Sollicitor, immediately after They had Enter'd *Their First CAVEAT*, and before they had as yet had *Any Hearing*, "That they would oppose me to the *utmost*: That they would meet me at every *Turn*: That they had enter'd a *Caveat with the Attorney-General*; and, if they did not succeed there, they would enter *Another with the Lord Privy-Seal*; and, if they did not succeed there, *Another with the Lord Chancellor*." And, in pursuance of This Scheme, (after the *Attorney-General* had made his Report in my Favour) Mr. *C—re* and Mr. *B—ly* frighten the *Rector* by a *Stratagem* (a) into the Calling of a *Meeting*, consisting when met of a very *small Number*, and those chiefly *Undergraduates* and *Batchelors* (b) under Mr. *C—re*'s *Influence*, where it is agreed, without *Debate*, and against the *Rector's Opinion*, not to *acquiesce* in the *said Report*, but to Enter another *Caveat*; and then address your Lordship to stop the *signing My Instruments*, lest I should come to be *Heard*, where, it may well be suspected, they have nothing to *Say*.

• *BUT* what is there of *Dignity*, or *Honour*, in all This Proceeding? What is there in it that is *Worthy* of a *Man*, much less of Men who have had the *Advantage* of a *Liberal Education*? Or, rather, what is there in it, besides *Art* and *Management*, and *Abuse* of your Lordship's *Good-Will* towards them, and *Interest* to serve them?

• *BUT*, my Lord, *Resolutions* like These to defeat, at *Any rate*, the *Establishment* of a *Charity*, and such an One as *That* by which They Themselves do *subsist*; a *Charity* so *agreeing* with the *Intention* of their *Founder*, who hath *Ordain'd This Place for the Advancement of Learning and Knowledge*, and so *consistent* with the *Security* to the *College* of every *Right* he hath left them, are what, I am confident, your Lordship will not approve. And I hope your Lordship will think it as agreeable to the *Trust* reposed in your Lordship, as the *Visitor* of This Society, to *Diffuade* them from Opposing the *Rights of Others*, as to *Assist* them in the *Maintenance* of their *Own*. I am,

My Lord,

Hart-Hall,

May 11, 1727. Your Lordship's most Faithful and most Obedient Servant,

R. N.

• (a) That above-mentioned.

(b) "I propos'd to them [when Conven'd] Whether they would *Acquiesce* in the *Attorney-General's Report*, and the *Proceedings* thereupon, or *Go on* further to Petition for Another Hearing: Withal declaring my *Own Acquiesce* in the *first*, and Advising them for the *Peace* and *Quiet* of the *College* to do the *same*. However, upon their Voting in it, the *Majority* of them, consisting of *Undergraduates* and *Batchelors*, who know little of those *Matters*, carried it for *Another Hearing*.

Exon. Coll. Oxon.

Decr. 18, 1724.

MATTH. HOLE.

No. III.

No. III.

My Lord,

TO give the Society all Proper Satisfaction will be Easy for me to do, or rather I have already done it: but to give them the Satisfaction which they are pleas'd to think proper, is not in my Power. If the College, therefore, will not be satisfied with any thing that is Reasonable, nor your Lordship be satisfied, unless They are so, I am just where I was, and there I must be contented to stay. For I do not want to be inform'd by so good a hand as your Lordship's, That your Lordship will be Heard by Our noble Friends before a Person in My Obscurity. No, My Lord, The Power, I yield, is with your Lordship; but the Right, I contend, is with Me. And, if as Reasonable an Attention might be given to Me as to your Lordship, I have no doubt but it would so appear. I shall not go about to derogate from the Merit of the Men of whom your Lordship hath so high an Opinion. Whatever it is, I have shewn that I have been forward to acknowledge it; and I lament to find it mix'd with so much Frailty. They may Pretend to have no other Motives to continue the Opposition than the Honour and Interest of Exeter College. But how far their Interest is concern'd in it, they call upon your Lordship to binder from being Tried; and how far they hereby consult either their Own Honour or your Lordship's, the World must judge. To Me they seem, in This Procedure, to Want That Respect for your Lordship, which is Due to Their Visitor; and to Me Their Visitor seems to think himself under Greater Obligations (a) to the Society than any Visitor, as such, (a) can be. Since My last to your Lordship,

(a) The Term Obligations is ambiguous. It may be understood of Obligations to the Society for Services they may have done their Visitor, or of Obligations to the Society which his Duty to them, as their Visitor, lays him under.

With respect to the former Acceptation, a Visitor ought to be under No Obligations to the Society. He is not to Interest himself in the Choice either of Head or Fellows. The Qualifications of the Candidates are specified, and the Electors are upon their Oaths. To ask these Favours is to corrupt the Society. To receive them is to corrupt Himself; it is to contract such Obligations as may make him Negligent of his Duty, or Partial in the Execution of it; it is an Art to remove out of the Society all Fear of being Obnoxious, and to create in himself a Reluctance to take Notice of Those who are so.

A Visitor then, as such, can have no Other Obligations to the Society than what his Duty, as their Visitor, lays him under. What is his Duty as their Visitor, and consequently, what are his Obligations to the Society, may be learn'd from the Founder's Statutes.

Some have pretended that, strictly speaking, the Visitor is under No Obligation by the Founder's Statutes to concern himself about the Society. The Founder, indeed, supposing him to be inflam'd with Zeal for the Christian Religion, hath confid'd in him, that he will be watchful over them, will see that his Rules are effectually observ'd, Virtue and Learning cheris'h'd, and their Rights protect'd; He hath likewise intrusted him with Power sufficient for these Purposes; and besought him by the Bowels of Jesus Christ that he would use it. But, after all, who shall OBLIGE him to This, if he be not so inclin'd? Had he been intrusted with their Money, a Court of Equity would have oblig'd him to Account; not so, intrusted with their Morals.

But surely, nothing more can be meant by this Reasoning, than that a Neglect of his Duty is not Cognizable in Human Courts: for whoever Accepts a Station whereto a Trust is annex'd, accepts the Trust, and is thereby oblig'd in the Court of Conscience to discharge the Duties of it with Fidelity.

To Protect the Rights of the Society is manifestly One of the Duties belonging to the Founder's Representative. But, if what they claim as a Right be Disputed, all that can be his Duty here is to Assist them towards coming to a Knowledge, whether what they claim A S their Right, BE their Right or no; to prevent their being Surpriz'd into the Loss of it; or Overborn by superior Power in their Attempts to maintain it. But it cannot be his Duty, at their Instance, to make the Seat of Justice inaccessible, and consequently, the Trial and Decision of that which is Disputed Impossible. It cannot be his Duty to do whatever the Society shall Desire of him, without enquiring whether what they desire be reasonable in itself, and fit for Him to appear in.

Founders of Colleges seem to have lodg'd the Visitatorial Power in the Hands of Great Men, that, by the Interest they would probably have in the State, they might be the better able to protect these Seminaries of Piety and Virtue in their Possessions, Rights and Privileges. But they seem equally to have

• Lordship, the *Rector* of the College, whom I had not seen of a long Season, call'd at
 • My Lodgings, when I took the Opportunity to *Say* to him what I had propos'd to
 • *Write*, if your Lordship had thought *That* sufficient; and I said it seriously. The
 • Reluctance, I find he has to the Reimbursement is founded in the horrid Contempt
 • and Indignity with which, he complains, he hath been always treated by my Oppo-
 • sers. "The Muniments they pretend to want for their Defence are all in their Own Keep-
 • ing, not one of them having been return'd into the Bursary since the Hearing before the
 • Attorney-General. No Application hath been since made to him for any further Search."
 • My Lord, I beg your Lordship's Pardon for having given your Lordship so much
 • Trouble in an Affair that, I should have thought, might have *deserv'd* rather Counte-

have designed that This Power should lie in the Hands of *Good Men* too, who would protect them in That only which was *Just*, and wherein alone it could be comely in Men professing a regard to Piety and Virtue to *Desire* Protection, and who would not use the *Interest* they had in the State to Enable *Societies* to *INJURE Private Men*. The *Duties* they owe, as *Visitors*, to their respective *Societies*, vacate not the *Duties* they Owe, as *Men*, to Mankind.

The Statutes, it is true, call the Founder's Representative the *Patron* as well as *Visitor* of his College. But still the *Good* can Patronize that only which is *Good*. The *Good*, as far as their Power reaches, are *Patrons* to the whole World, however Those, who are immediately under their Inspection and Care, may hope for the Privilege of being first regarded.

I am not for hindring Applications from the Society to their *Patron* that he would do them All *Good Offices*. I am not for diverting Any *Visitor's Affection* and *Friendship* from the College of which he is the *Patron*. I only beg the *Friendship* there is between *Them*, may not be a League of *Enmity* against *Me*, and my *Design* of Public Good no way interfering with their *Private Rights*. I only intreat they would mutually Agree to have This the *Prima Lex Amicitiae, UT AB AMICIS HONESTA PETAMUS, AMICORUM GRATIA HONESTA FACIAMUS. Cic.*

His Lordship, without doubt, has *Reasons* for what he did: Which when he shall do me the Honour to impart, (for I have not, as yet, been thought worthy of *any* kind of Satisfaction) I will consider them with the Attention they shall deserve. But, 'till these Reasons appear, I cannot but think, what his Lordship did for the Society in shutting up the Way to the *Office* where they had enter'd their *Caveat*, was not a *Duty* he ow'd to them, as their *VISITOR*. Had I been their *Visitor*, I should not have comply'd with them in a Request so *Unreasonable* in *itself*, and so full of *Disrespect* to *Me*. They should not have made *Me* a Party in their little selfish Schemes. Instead of *Countenance* and *Aid* in wrong Pursuits, I should rather have given them my *Advice* in some such simple manner.

Gentlemen,

THERE is no one can be more Dispos'd to serve you than, upon all *proper* Occasions, you shall find *Me* to be, particularly in Matters relating to the *Estates* you are entitled to by the *Liberality* of your Founder, in whose Place I shall always consider *Myself* to stand, and be ready to do for you, in every disputable *Cafe*, what I verily believe *He* himself, were *he* living, would, in such *Cafe*, have done. *He* was the *Founder* of a *College* *Himself*, and probably would have wish'd *Succes* to *Others* of the like Pious and Beneficent Minds. With regard to the *Tenement* you claim, you acknowledge it is *Ordain'd for the Advancement of Learning*; and which way can the *Appropriation* of it to *This Use* be better secur'd than by a *Charter*? Both *Myself* and *You*, in different *Universities*, have reap'd the *Fruits* of *This Sort* of *Charity* for many Years, and, unless there be some very *Substantial Reason* for it indeed, I doubt it will hardly become *You* to *Desire*, or *Me* to *Assist* you, to *Defeat* Other *Scholars* of those *Advantages* which we *Ourselves* have receiv'd. The *Institution*, it is true, is attended but with *small* *Endowments*, but it hath however been *Approv'd* by very *Wise* and very *Learned Men*; and a particular *Respect* is therein shewn to the present *Government*; and *Persons* of the greatest *Rank*, and best *Affection* to the *Government* have appear'd to *Interest* themselves in getting it *Establish'd*; and if, by *moderate* *Endowments*, the same *good Ends* may be obtain'd, one should rather, I think, *Applaud* the *Contrivance*, than *Oppose* the *Institution*. Besides *This*, your *Cafe* has been already argu'd before the *Attorney-General*, and the *Report* is against you. *He* is a *Person* of such *Consummate Skill* in the *Courts* both of *Law* and *Equity*, that it is hardly possible *he* should be *Mistaken*. However, I say not *This*, *absolutely* to *Discourage* you from any further *Prosecution* of this *Cause* if there be any *Life* in it, (for you may be assur'd of my *Diligence* to serve you when *That* shall appear, (tho' I hope that even *THEN* you will be contented with a *Moderate* *Consideration* for the *Right* which shall be *found* to belong to *you*;) but to *Invite* you to *state* your *Cafe* with your *Objections* to the *Report*, and with the *New Matter* you have to offer, that *I* may forthwith *Advise*, in your behalf, with some *learned Counsel*, what is further to be done with *Prospect* of *Succes*, and without *Reproach*, that in the *Steps* *I* shall take for your *Service* *I* may be *Justified* by *His Authority*. *One Step*, *I* can tell you beforehand, will be too *Adventurous*. The *stopping* the *Progres* of the *Charter* to the *Office* where your *Caveat* lies, will draw an *Odium* upon *You* and *Me* from all *good Men*, and very *Justly*. Nor is there *Need* of it. For, if your *Counsel* be *Clear* that you have an *Undoubted Right*, the same will *Appear* when you come again to be *Heard*; and, if *He* think you have not, it is better you should not contend. Whereas, if *We* proceed by *Violence* to shut up the Way to the *Place* where the *Thing* in *Dispute* should regularly be *Decided*, *I* need not tell you that the *INFAMY* of such a *Step*, in the *Circumstances* of *This Cafe*, will be *Indelible*, and the *INJURY* done by it *Irreparable*.

• nance than Discouragement. I will give your Lordship no *More*. (a) I am, My
 • Lord,
 Your Lordship's
 Hart-Hall, most Faithful and most Obedient Servant,
 May 25, 1727. R. N.

No. VI.

• I ONCE more adventure to trouble your Lordship about the *Old Affair*, and to
 • beg that I may not be utterly defeated in my Design, nor censur'd as Deserving to
 • be so: but that, since the Design is *Laudable* in Itself; since no *Irregular Step* hath
 • been taken by me to Accomplish it; since the Like hath never been obstructed in
 • *This*, nor, I believe, in *Any University* before; since Those who are every Day re-
 • fresh'd with the Stream of their Founder's Charity, can neither *Decently*, nor *Inno-
 • centsly* stop the Current of the Like Charity to Others, if they will not be *Hurt* by it
 • Themselves; since they have never shewn they shall be hurt by it Themselves, tho'
 • they have had the *best* Opportunities of doing it; since the *Contrary* might easily be
 • made to appear, if the Opportunity I so *reasonably* desire was allowed me; I may at
 • last with your Lordship's Leave proceed to make use of my Friend's Assistance to
 • *Incorporate and Endow* the Society, whilst *They* are *Able* and *Willing* to give it *Me*, and
 • I am in a *Condition* to receive it.

• I F Those who Oppose me, would suffer Themselves to think *seriously* of These
 • Matters, I am persuaded, They would rather forego some little Advantage to *Them-
 • selves*, than discourage any Intention of Beneficence in *Me* to *Others*. But I do not
 • desire so much of Them. All I desire is, that where they have enter'd a *Caveat*
 • with design, as is pretended, to be further *Heard* with regard to their *Right*, I may
 • be permitted to come and hear what they have farther to say.

• T H E R E was a Time, when the *College* complain'd the *Late Rector* would not re-
 • imburse them the Expence they had been at in a former Opposition, and that they
 • could not then be at the Charge of a *Hearing* before the *Lord Privy-Seal*. This
 • Reason, if it was then sufficient to induce your Lordship to hinder my coming to the
 • Office where the *Caveat* lay, is not so now, the *Present Rector* having assur'd me,
 • since the Death of the Former, that all *Objections* to my being *Heard* are now
 • remov'd.

• I T is pretended, indeed, since this Declaration was made, that a *Hearing* before
 • the *Lord Privy-Seal* would not be *Decisive*, and that, when I should get to That
 • Office, (which yet they knew I could not do without your Lordship's Permission,) they
 • should desire their *Right* might be *Tried* at *Common Law*. Whatever be their
 • *Right*, it cannot sure, be so considerable, as to deserve the *Formality* and *Expence* of

(a) Notwithstanding I had determin'd to write no more to his Lordship, yet, some Years after, a *Misrepresentation*, by Dr. *Cope* to the *Bishop*, of what was said by *Me* in a friendly Visit to *Him* received by *Him* with great Profession of Friendship to *Me*, renew'd our Correspondence. The *Two Letters* I writ upon this occasion to Undeceive his Lordship (and which, I flatter myself, had the good Fortune to Undeceive him) not relating directly to the Steps taken ineffectually by me to prevail upon his Lordship to permit a *Hearing*, I shall not (Mr. Vice-Chancellor) Trouble You with them, nor perhaps any body else, unless it be denied that there was a *Misrepresentation*, but pass on to the *Sixth* and *Last Letter*.

such a Process. This looks as if the College were resolv'd to take effectual Care, that whoever hereafter, (now their Own Turn is serv'd,) should presume to entertain so beneficent a Thought, as to give to Other poor Students the same Help in Education which They enjoy, both He and his Family should repent it dearly. However, I am contented They should thus Proceed, if they would indeed Proceed. Possibly, One Friend or Other might arise, who, persuad'd of my honest Meaning, might have so much Compassion towards me, as to *Lighten* the Expence of such a Suit. But when will the College think it Time to begin this Suit at *Common Law*? They have threatned to do it these *seven* years. They have never taken One Step towards it. No body supposes they *ever* intend it. I cannot *compel* them. It was the *profess'd* Design of the College when they Enter'd their *Caveat*, to be *Heard* where they had Enter'd it. If they are *Heard*, they may see Reason to *Acquiesce* in what shall be reply'd. But if not, the *Law* is still open. A Charter granted to *Me* gives no *Right* away from *Another*.

I HAVE the *Present Rector's* repeated Promises, That if we could not Compromise the Matter between Ourselves, I should be *Heard* before the Lord *Privy-Seal*, with your Lordship's *Consent*, whenever I pleased. We cannot compromise the Matter between Ourselves. And your Lordship has told me, " *I shall find no Unkindness or Contradiction to Myself, or my Undertaking, from your Lordship, but what the Defence of the College doth require.*" Now, since all Objections to a *Hearing* are declar'd to be remov'd, the Defence of the College seems not any longer to require your Lordship's Interposition to binder such *Hearing*, and, therefore, I hope your Lordship will no longer do it: especially, since I do not hear (a) that the College have Requested This of your Lordship.

THE *Rector* propos'd, by an *Accommodation* of This Affair between the College and Me, to *save* the *Charge* of a *Hearing* on Both Sides. I am altogether as inclin'd to *save* This *Charge* as the College, being much less Able to bear it. And, since we cannot Agree the Thing between Ourselves, should be exceedingly glad if Others would be so kind as to do it for us.

THE College cannot Hope for any greater Success by a Trial at *Common Law*, than Those *Lawyers*, whose Opinions they value, shall encourage them to Expect. Whatever shall be thought a full Satisfaction to the College for what *Right* they have in this *Hall*, in the Judgment of any Two *Lawyers* in the Kingdom, of whom the College shall appoint One and I Another, (Both to be rewarded by me if they Desire it,) I will pay it instantly, or cease any further Pursuit of Incorporating This Society.

WHEN Mr. P. lately talk'd with the *Solicitor-General* concerning the Pretensions of the College, he answer'd, " It was a great while ago that he had consider'd their Case, and that the thing was then a good deal out of his Head, but that, to the best of his Remembrance, it was his Opinion, if any two reasonable Men were to talk the Matter over together, they would soon adjust the Dispute between the College and Me, or to this Effect." I do not know two more reasonable Men in the World than the *Attorney* and *Solicitor-General*; and would gladly be at the Charge of That Conference, if it could be procur'd. But, forasmuch as I apprehend the *Solicitor* would not concern himself in This Dispute, but at the Request of the College, I should take it as a Favour, if the College might be prevail'd upon by your Lordship, to Request This of him. Or, if your Lordship would rather have the Opinion of Those, or

(a) Not since the Death of the late Rector, and Reimbursement of the Eighty Pounds before-mentioned.

any Two Other Lawyers, at my Expence; for your Own Satisfaction, and would continue, or discontinue the Obstruction your Lordship hath hitherto given me, as your Lordship should find Reason for either, from Their Representations, I should desire nothing further from your Lordship.

WHAT remains to be Observ'd to your Lordship is, that by the Delay in my Affair, there is sufficient Reason to believe the Society have Lost several Thousand Pounds, and I also am become a very great Sufferer in my Private Fortune. And I beg your Lordship's Assistance, or at least Neutrality, that a further Delay may not ruin at once my Design and Me. I am, My Lord,

Your LORDSHIP'S

Hart-Hall,

most Obedient Servant,

16 May, 1732.

R. N.

Mr. Vice-Chancellor;

I AM sorry to say, This Letter, instead of making *Any* Impression upon his Lordship, produc'd a *More* unkind Answer than *Any* I had before receiv'd from him. Despairing of the Success of any *Future* Applications either to the College or their *Visitor*, I had, next, a mind to Try whether *some* Relief might not be had from a Court of *Equity*. For, since the College continu'd to *Obstruct* the Incorporation of the Hall on Pretence of *Right*, which yet, (after the *Attorney-General* had made his *Report*) they were resolv'd should never be Tried if they could help it, nothing seem'd to Me more *Reasonable*, than that a Court of *Equity* should *Compel* them to let forth *this Right*, the bare *Pretence* of which had already prevented the Establishment of many Charitable Donations to the Society, and, whilst it subsisted, would continue to have the same Effect.

I WAS told, upon Enquiry, I might soon be *Reliev'd* in *Chancery*, if I could once bring the Matter *thither*: but, at the same time, that *This* would be impossible for Me to do.

IT is a Circumstance (Mr. Vice-Chancellor) well enough suited to my present Condition, that, whilst I am, on all hands, assur'd, that I am in the Right, I am incapable of being *dismay'd* by any Terror, or *wearied* with any Toil. And therefore what I found was out of the Reach of the *Law*, I was determin'd to bring to the Tribunal of *Fame*.

HITHERTO, whenever I have told my Story in *Private* Conversation, I have hardly been *Believ'd*. My Friends would reply, there must be something *more* in this Matter than I was *aware of*; or, suspect that I had *Omitted* something in my Account of it, which, if related, would give *it Another Appearance*. For, As it appear'd by *My Representation*, the Thing was *Incredible*. For, either there *never* were such Men in the World as *My Opponents*, or, if there *Were*, they could not conceive how so *Hard* a Case should be utterly without *Remedy*. I now, therefore, tell my Story to the *Publick*, that These Men may refute it if it be not *True*; or, that if they do not refute it, it may be seen, there *Are* such Men in the World; and that, as *Hard* as the Case is, both with respect to *Me*, and to the Society, there is no *possible* Remedy but *That* which I am taking, if *That* be *Any*.

UPON the Publication, indeed, of a Letter entitled, *The Expence of University Education reduc'd*, in which my Adversaries are incidentally reproach'd for Obstructing the Establishment of Rules which would effectually have secur'd *That Point*, the Talk

of

of Trying their Pretended Right at *Common Law* hath been *Reviv'd*, and with the Loudness and Vehemence of Men provok'd. But, for all this, They have since suffer'd *Three* several *Affizes* to be held at their Door, without submitting This Matter to the *Cognizance* and *Decision* of the Court. As often as the *Essoign* Days have approach'd, and the Declaration of *Ejectment* threaten'd to be deliver'd hath been expected, or rather, *Wish'd* for, so often have I found Myself amus'd and disappointed.

NOTHING then remains, but that I appeal to the World for *Their* Opinion of the Matter. I cannot but say, I have had great Reluctance to this Step, knowing how much the Discoveries I should make would affect the Reputation of my Opposers. This Reluctance appears, in that all *Other* Methods have been first tried in vain, and of *This* fair Warning hath been given, that it might not have become *Necessary*. It is now high time to take Care of my *Own* Reputation, and to shew the World, if I should finally be *Defeated* in my Design, yet, at least, that I did not *Deserve* to be so. And that, if once *This* should be made to *Appear*, it might some Way or other so happen, that I should not finally be *Defeated*. That the Design was *Right*, and the Opposition to it *Wrong*, is to be my *perpetual* Theme. And if, nevertheless, the *Opposition* is to *continue*, so shall my *Expostulation* with the Opponents. For, I will never *Desert* *Myself*, nor the *Defence* of what I have been doing for the Service of the Society and of the University, as long as I live.

I HAVE already *Observ'd*, that the Procedure of the *College* was *Void* of *Respect* to their *Visitor*; and I now take the Liberty to say, that, I think the Procedure of their *Visitor* hath not been over Full of *Respect* to Those *Great Men* whom his Lordship prevail'd upon to stop the Progress of the Charter they desir'd to speed, 'till the College he was concern'd for should be satisfied, without making it appear that they had any *Reasonable Demand*, or that a *Reasonable Demand* having been made, it had not been *comply'd* with.

THESE Great Men *had a mind* to Oblige me, and in a Thing that was *right in Itself*. I have good Authority for what I say. The late Lord *Carlton*, who was a great Favourer of Learning, and who, at the Request of One of the most learned Prelates of This, or Any other Age, was dispos'd to serve Me, did *Himself* tell me, that, when He apply'd to the Lord *Townshend*, then one of his Majesty's Principal Secretaries of State, in order to know his Lordship's Thoughts of the Incorporation of *Hart-Hall*, his Lordship answered, "That he had no *Objection* to it; that the *Duke* and his *Brother*, who were the Doctor's Pupils, *had a mind* to Oblige him in it; and that, "besides, the Thing was *right in Itself*."

THERE was Reason to believe They *might have a mind* to Oblige me in it. The Part I had had in their Education, they will do me the Justice to say, I discharg'd with uncommon Diligence, and with strict Fidelity. Both They, and the rest of their Family, have ever since done Me the Honour of their Esteem and Affection. I never deceiv'd them. Not *being* of any Party, I never *pretended* to be. And for the Tranquillity I propos'd to Myself in This *Rare* State, I have been willing to forego Those Advantages which others have Qualified Themselves to receive. What I desir'd of Them was an *Opportunity* only of promoting Learning and Virtue in the University in the most frugal and effectual manner.

WHERE then is the *Respect* shewn to These Great Men by the *Visitor* of *Exeter* College, whilst his Lordship intreats Them, for the Sake of *His* Friends desiring a *Wrong* thing, *Not to do That* for *Their* Friend desiring a *Right* thing, which it would have been very *Agreeable* to Them to have done for him?

IF Two of his Lordship's Scholars could find such infinite Satisfaction in procuring his Lordship a Preferment so proportion'd to his Merit as the See of Exeter, could it not so much as once enter into his Lordship's Thoughts that it was not Impossible, No, nor Unlikely, that Two of My Scholars (who are known as much to delight in doing good Offices for their Friends as any Two Men in the Kingdom) might not also find some little Pleasure in procuring Me the Opportunity I wanted to promote Learning and Virtue in the University in the most frugal and effectual Manner?

AND, if They were Willing to oblige his Lordship so far as to regard the Passing of my Charter at his Request, in Hopes that I should soon be able to give his Lordship Satisfaction, and in Confidence that he would not Persevere in Opposing it any longer than he should have good Reason to do so, can his Lordship think they Approve his continuing the Opposition for Ten Years together, without Any Reason at all, to the Defeating a Design that is Right in Itself, and to the Ruin of the Promoter of it whom they had a mind to Oblige? I flatter Myself They do not Approve of it, and that what hath been thus Grievous to Me, is not Easy to Them.

I AM Tempted, by the Honour it is to Me and to the Hall, to have it known, to take Notice, that One of These Great Men had been a Member of The Society, and there entrusted to My particular Care, hoping the Credit we do Ourselves in this Interested Observation will not be thought a Diminution to the Person for whom we have so great a Value. The Beneficent Thought he entertained of promoting the Prosperity of his Own Society, at the Request of a Beloved Tutor, was Natural, Became him, was Worthy of him. And for the Visitor of a College to desire him to forego his Own Inclinations to a Virtuous Deed, 'till the Pretensions of the Men he was concern'd for should be satisfied, without afterwards Securing, or Caring, as far as it appears, that they should specify These Pretensions, and submit to have them Examin'd and Estimated, seems to me a Thing Unnatural, Unbecoming, Unworthy. And so far as this Procedure either was, or might reasonably be supposed to be, Disagreeable to the Favourers of the Person and the Design Oppos'd, so far there seems to have been a manifest Want of Respect towards Them in the Opposer.

I HOPE I am entitled to his Lordship's Pardon, that I mention this Circumstance of Disrespect shewn to my honourable Friends in the Continuance of so ill-grounded an Opposition to Me. My Reputation is concern'd in the Remark. And his Lordship has told me, upon another Occasion, that, "I have a Right to defend my Reputation." If They had once that Friendship for me which I pretend they have profess'd, which there was the above-mention'd Reason for, and which it had generally been said, and believ'd they had, I might seem to have forfeit'd it by some Misbehaviour towards them, if it could be suppos'd to be a Thing Indifferent to them, Whether the Design they were conducting with a prosperous Gale into the Desir'd Port, should, within Sight of it, be Be calm'd for Ten Years together; Or, the Remora that unaecountably, and unnecessarily detain'd it should be taken off from it. I value their good Opinion of me a great deal more than to be Willing, or, indeed, to Suffer that This should be suppos'd, if I can any Way prevent it.

GREAT Men, however attach'd to a particular Scheme, and to the Persons of Those whose Assistance they Promise themselves in it, do not yet care, if I guess right, to Offend, or Disoblige, or Grieve any Man living Unnecessarily. And however Thankful they may be for the Aid which they Occasionally Need, yet can they Discern and Lament That Indiscretion in their Friends which alienates more Affection of Others from them, than Their Own can balance.

I HAVE very lately been inform'd that his Lordship, having some time ago receiv'd a Letter, in an Unknown Hand, and without a Name, Advising his Lordship to Retreat from the Opposition given to the Principal, communicated the same to One of my Opponents, and express'd a good deal of Uneasiness that He had been led by *Him* into a Conduct that would injure his Reputation, or to this Purpose.

Whoever was the Author of This Letter, I believe He meant it kindly both with respect to his Lordship, and to *Me*. For Myself, I take it kindly of him. And if his Lordship had thought it worthy of That Regard which it was design'd he should have shewn to it, it would have sav'd *Me* the Trouble of This Application to my Visitor.

How it came to be Disregarded I cannot say with any Certainty. But I have heard, the Person, to whom it was Imparted, confirm'd his Lordship in the Belief that the Letter was written by *Me*, that the Stile of it was particular, and exactly agreeable to my Manner; and endeavour'd to make his Lordship Easy, as to the Apprehension his Lordship had of any Hurt to his Reputation by the Assistance He had given the College to Obstruct the Principal's Design; for that the College would certainly Try their Right at Common Law, the very next Assizes; and that, afterwards, they would give such an Answer to what had been Written about This Affair, as they suppos'd would not be very Acceptable to *Me*; and which they forbore to do before, having something to say which, publish'd earlier, might prejudice their Cause.

As to the Trial, The Assizes are over, and there is Nothing done. As to the Answer that is design'd to be Unacceptable to *Me*, I disclaim their Favour: knowing, for certain, Whatever they shall say with Truth, will give me a fresh Opportunity of shewing the Unfairness of the Opposition, and, particularly, of the Steps taken in it. As to the Letter, I confess, if I could have suffer'd Myself to have us'd Any Art, I should not have scrupled to have had Recourse to This, as likely to have produc'd much Good, if I could have persuad'd Myself it would have had the Influence intended. But, in Truth, I neither writ This Letter Myself; nor was it written by my Advice, or Procurement, or with My Privy; nor do I even now know Who writ it; nor had I so much as Heard that Any Letter had been written to the Purpose above-mentioned before the 16th Instant.

I HAVE nothing more to add (Mr. Vice-Chancellor) than to beg Pardon for the Trouble I have here given you in this Representation, with a View of Some kind of Assistance or other from you. Whether you can at all relieve me in my Distress, I know not. But still my Application to you as the Visitor of My Society, is Regular, and Proper in My present Situation, in order to see whether you can or no. If you cannot, I will not suppose Any One to have greater IN C I D I N A T I O N to Assist Those who are Interestng Themselves in the Service of the University; I must apply to Others who have greater P O W E R. I am,

SIR,
Hart - Hall, Your most Obedient Servant, &c.

31 July, 1734.

POSTSCRIPT

TO THE

LETTER written to the VICE-CHANCELLOR of Oxford, by the PRINCIPAL of Hart-Hall.

IH AVE read the Answer of the Dean of *Christ-Church* to the foregoing Letter. What was promised is not performed. I do not apprehend that I have been guilty of any *Calumny*, or written any *Libel*. Some Things are denied by Mr. Dean, which I still affirm; others affirmed by Him, which I deny. I do not see there is any Thing *Refuted* more than that, whereas, in p. 9. I have said the new Petition was for another Hearing before the Lord *Privy-Seal*, I should have said, before the *King in Council*. The Conduct of the Society of *Exeter* College is not Vindicated, neither That of their *Visitor*, nor yet That of the *Dean*. The main View in this Answer is, I find, to discredit Me in Matters not at all relating to the Dispute between us, that the Reader may from thence infer how little Credit is to be given to what I say of Matter's that *Do relate thereto*. In this View I think he will not succeed. Neither is it generally believed, that he had ever any reasonable Hopes of succeeding. But having, either through *Impatience* of Censure, or *Dream* of a rich Stock of Materials for an Answer, put out a rash *Advertisement* of it, not to be recalled when he should *Awake* and find himself *Poor*, he brought himself, as it were, under a Necessity of saying *Something*, though never so little to the Purpose; and in a manner that is *Angry*, as if He, therefore, had *Reason*. Accordingly it is a *Scolding Piece*; but it is so of One, who, all the time he is scolding, is walking off, whilst his Adversary keeps his Ground. I will publish an Answer to whatever is said in this Piece, either *Derogatorily* of *Me*, or *Deficiently* of the *Matter* in Dispute, as speedily as my many other Engagements will permit, which, I flatter Myself, will be so satisfactory to every body, that, since he is determined not to vouchsafe any Answer to what I shall write for the future, there may be no manner of Occasion for it. And that it may be seen also, whether his Friends in *Oxford*, who would have dissuaded him from Printing any thing at all, notwithstanding the Advertisement; or his Friends else where, who have since prevailed upon him to Print what is now Published, had the better Judgment. In the mean time, I here give the Reader his Representation of *One* particular Fact, as a Fore-taste, whereby he may conjecture with what Simplicity his Account of *Other* Facts is delivered.

The REPRESENTATION is this:

SINCE I drew up what is said above, I have learnt more perfectly the true State of this Case. It appears that I was really recommended to The late Lord *Macclesfield* for one of his Lordship's Pensions, tho' I never received one Farthing Advantage from it. And The Person, to whom I was Indebted for that Recommendation, was, The present Lord Bishop of *Oxford*. I speak this with Assurance. To which I will add, that most of the Persons recommended, were Indebted to the same Great Prelate; and that Dr. *Newton's* Part in the Affair, was, chiefly to Enquire into the Characters of the Persons, on whom The Bishop had an Eye. It doth not appear that Dr. *Newton* had, at That Time, any Acquaintance with The Late Lord *Macclesfield*, whatever he might have afterwards. And therefore, his arrogating to himself a Merit, to which he had no manner of Title; and especially his doing this, in order to abuse a Person no wise deserving it, is insufferable. *Cal. Ref. p. 112.*

The F A C T is this:

THE late Lord Chancellor *Macclesfield* imparted to the present Bishop of *Oxford* his Design to favour a certain Number of Scholars with Stipends of 30 Guineas a Year to each, for the Encouragement of Industry, and Advancement of Learning in the University; and requested of the Bishop, as a Man excellently Learned in Himself, and wishing well to the State of Learning, to recommend to him Persons, whose Circumstances he knew, or could be advised, were such, as would make the Intended Pensions acceptable to them; and who would be willing, now and then, to publish Something in their Own way of Study, as a Testimony that they were in good earnest engaged in a Pursuit of the End proposed by his Lordship: with this further Instruction, that Regard should not be had in these Recommendations to what Party the Men were said to be of; (which would but continue, if not increase Parties in the University, to the Ruin not only of Learning, but of every thing Sacred, or Serious, or Social,) but to their Merit, as Scholars.

THE Bishop of *Oxford* had, at this Time, in his Hands One of the Printed Copies of the Scheme of Discipline intended by me to be established by a Charter in *Hart-Hall*. He might from thence have observed, that my Design in general was the same with That of Lord *Macclesfield*, to encourage Industry, and to advance Learning in the University. He knew that I had already been searching the University for Men of Parts and Learning, to assist me in the Education of Youth upon the Foot of that Institution; and had invited several Persons from the respective Colleges in which they had distinguished Themselves, to come and reside with me for this Purpose, under such Considerations, as they were very good to accept, tho' exceedingly below their Merit; and in Expectation of becoming a Part of the Corporation, when a Charter should be obtained. He did me the Honour to impart to me the Instructions he had received, and to intrust me with the Recommendation of Scholars to *Him* fit to be recommended by *Him* to the Favour of Lord *Macclesfield*; for he laid I lived always in the University, and that the Men of the Standing, Condition, and Endowments, that were wanted, must be better known to Me, than to Himself; or to this Effect. He did not at this Time mention Mr. *C.* to me; nor do I remember, or believe he had ever mentioned his Name in my hearing at any time before This. I came home in the Evening; and, in a Day or two, Mr. *Greenaway*, a Tutor in my Society, and a Friend of Mr. *C.* went to him from me, to learn whether what was proposed by Lord *Macclesfield*, would be acceptable to him: If it would, I desired he would let me see him at the Hall. He came to me immediately, and was exceedingly pleased with what I had to say to him. I recommended Mr. *C.* as I did several others, to the Favour of the late Lord Chancellor *Macclesfield*. Or, if you will, to the Bishop of *Oxford*, as worthy of the Lord Chancellor's Favour. This is the Fact. I never pretended it was otherwise than I have here related it. Every Other Person I recommended so understood it, as I verily believe; and I think I may be sure it must have been so understood by Mr. *C.* Himself. For, after I had introduced the Gentlemen of my Own Society to Lord *Macclesfield*, to receive the first Payment of the Annual Pension from his own Hands, I writ to Mr. *C.* then in *Devonshire*, to let him know what had happened to *Others*, and what Himself might expect; advising him to wait upon the Lord Chancellor at *Sibbourn Castle* as soon as he could possibly; and, in his Way thither, upon the Bishop of *Oxford*, that he might acknowledge the Bishop's Recommendation of him; and, in his (a) Answer to that Letter, after having thanked me for the Care I had taken that he should not be a Sufferer by his Absence, he adds these Words, "As soon as I return, I will wait on the Lord Bishop of Oxford, as you direct."

As I never dissembled this Matter, so neither was there any Occasion for it; for Mr. C's Obligations to me, such as they were, (less indeed than were fit to have been mentioned, if I could have avoided it,) were the same, whether I had recommended him directly to Lord *Macclesfield*, or mediately by the Bishop of *Oxford*. *A.* might recommend *C.* to his *Majesty's* Favour for the Deanry of *Christ-Church* immediately and directly, for ought I know; but if he did this by *B.*, still *A.* was a Friend who had oblig'd *C.*

AND then, as to the Consequence, if his *Majesty* should hereafter be graciously pleased to shew *C.* any other Mark of his Royal Favour at the Suit of any other Person whatsoever, who can be sure that the Original Impressions made on the Mind of his *Majesty*, in favour of *C.*, did not facilitate the Success of such Application?

He knows, he says, to whom he was oblig'd for the Preferment in the Chancellor's Gift. And so do I too, if I did not mistake the late Lord *Macclesfield*. It was a Person to whom I had the Honour to be known upon a particular Occasion, and for whom I had a great Esteem; Dr. *Talbot*, the late Lord Bishop of *Durham*. And I never pretended to any other Merit towards Mr. *C.* in this respect, than to have given Lord *Macclesfield* a good Opinion of him, antecedently to the Bishop's Application: A Thing which might possibly be of some little Use to him, for ought he knows: For Lord *Macclesfield*, tho' he might be sometimes Mistaken, like other Patrons, was yet very Elegant in the Choice of Persons on whom to bestow his Spiritual Preferments.

AND, if he never received any Pension from his Lordship, it must be, I suppose, because he never waited upon his Lordship before he went to thank him for the Grant of the *Rectory* of St. *Clement's*, a Living at his Door that was Tenable with his Fellowship, and abundantly more than an Equivalent to the *First* and *Second* Payment of the Pension. His Lordship's Misfortunes coming soon upon him, no body receiv'd a *Third*; whilst what he had given to Mr. *C.* continued to be beneficial to him for many Years.

AFTER what has been said, an Enquiry at what Time precisely I became known to Lord *Macclesfield*, is, I think, not very Material. His Lordship very early in the Year 1722, had taken particular Notice of Mr. *Hunt*, One of the Tutors in my Society, who, in relating to his Lordship the Occasion of his removing hither from *Christ-Church*, spoke respectfully of me, and friendly of the Scheme of Discipline, I was endeavouring to get Established by a Charter in *Hart-Hall*. Soon after this, I had the Honour to be Admitted to his Lordship, who always received me with great Kindness, and expressed great Favour to my Design. And tho' I did not recommend Mr. *C.* to Lord *Macclesfield* Himself, yet Lord *Macclesfield* knew that I recommended him by the Bishop of *Oxford*, and thereupon did Himself tell me, he should always have a Regard to my Recommendation; and he afterwards had a Regard to it upon a much more important Occasion. And when, after this, he was informed what Steps Mr. *C.* had taken to Oppose the Incorporation of the Hall, against the Authority of the *Report*, which his Lordship perused and approved, he had a much less Opinion of him.

BUT after all, Had the Case really been as Mr. *Dean* describes, yet would not the Notable Activity exerted in 1724, at what Time he was under a *Belief*, I may say a *Certainty*, that I had Oblig'd him, have been ever the more excusable, for his having Learnt in 1734, that, in truth, to his great Joy, he had no manner of Obligation to me.

telegraphed and from the evidence of all the evidence I have to hand, I do not consider it probable that the letter was written by the man who is accused of the assassination of Mr. Garfield, and I do not consider it probable that the letter was written by any other person.